

**REMARKS/ARGUMENTS**

Claims 1, 3, 5, 6, 10-11, 13-14, and 16-23 are pending in the application with the present amendments. Applicants appreciate the courtesy of the Examiner in granting the telephonic interview that was held on December 30, 2004. During the interview, features of the invention were discussed which are believed to distinguish the presently claimed invention from U.S. Patent No. 6,599,195 B1 to Araki et al. ("Araki"). In particular, the undersigned pointed out the feature of the invention recited in claim 5 in which stream data and action definition information are read out from a recording medium, the action definition information including both a) action position information identifying a predetermined action position and b) action data corresponding to the predetermined action position. Then, upon detecting the action position while monitoring the reproduction of the stream data, an application is notified of the action data. As further recited in claim 13, the action position can be a temporal action position, and/or the method can include synchronizing an operation in accordance with the action data of which the application is notified (claim 14). For example, as claimed in claim 22, the stream data can include sound data, such that the detected action position information identifies a predetermined action position in the sound data, and the synchronized operation achieves a lip sync effect in synchronization with the reproduction of the stream data. Moreover, as particularly recited in claim 19, the action position information and the action data are both read out from a single unitary file. Similar amendments have been made to other claims of the application which claim a stream data reproducing apparatus and those which claim a recording medium. The present amendments are believed to fully distinguish the

claimed invention from Araki, for the reasons as further set forth below.

Araki neither teaches nor suggests the invention recited in the presently amended claims. Araki neither teaches nor suggests a system in which stream data and action definition information are read out from a recording medium, the action definition information including a) action position information identifying a predetermined action position and b) action data having a predetermined correspondence with the predetermined action position. Araki merely describes a system in which background-sound data 52 and partitioning codes 53 (col. 8, lns. 7-8) are read out from a recording medium. Araki neither teaches nor suggests reading out action definition information including action position information and action data having a predetermined correspondence to the action position. The partition codes 53 described in Araki do not have a predetermined correspondence with action data. A partition code simply marks the end of a phrase of background sound data for timing the switching between different background sound data and there is no notification to an application of action data having a predetermined correspondence with the action position (col. 8, lns. 35-36; col. 9, lns. 15-17; lns. 64-67; and col. 10, lns. 10-12). Thus, for example, when it is time for the system described in Araki to switch to different background sound, it is not performed by notifying an application of action data having a predetermined correspondence with the action position. Rather, the switch occurs through a switching instruction signal which prompts data to be stored for the next background data, without the new background data having a predetermined correspondence to the partition code. (See col. 9, lns. 13-16; col. 10, lns 32-46).

Support for the present amendments is provided, *inter alia*, at p. 15, ln. 24 through p. 16, ln. 14, and p. 17, lns. 13-16 of the Specification. Reference is made to the Specification as amended by the Preliminary Amendment filed December 20, 2001.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he telephone applicants' attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

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